REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to claim 1 because "lumer" should be --lumen--. In response, claim 1 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to claim 1 be withdrawn.

In the Official Action, the Examiner rejects claims 1-18 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,306,081 to Ishikawa et al., (hereinafter "Ishikawa"). Additionally, the Examiner rejects claims 1-18 under 35 U.S.C. § 102(a) as being anticipated by Japanese Publication No. 2003-245244 to Yasuta (hereinafter "Yasuta").

With Regard to Ishikawa, the Applicant respectfully traverses the Examiner's rejection under 35 U.S.C. § 102(e) for at least the reasons set forth below. Ishikawa discloses an endoscope hood having an inflatable balloon. The Examiner argues that such hood has a shape, which is not included in the range of the observational field of view of the endoscope. The Examiner also argues that the hood shown in Figures 5 and 6 of Ishikawa uses an elastically deformable material, which when deformed by an external force, enters the range of the observational field of view. The Applicant respectfully disagrees.

Column 3, lines 14-25 (and particularly lines 19-21) of Ishikawa specifically indicate that, when inflated, the forward portion of the hood is extended so as to obtain the visual field of the endoscope. Furthermore, although column 5, lines 16-25 indicate that the distal portion of the balloon is elastic, there is no suggestion or disclosure that such portion only enters the field of view when deformed. It is assumed that the third embodiment of Ishikawa is the same as the first embodiment with respect to the balloon hood being visible in the field of view when inflated. Thus, in contrast to claim 1, the hood of Ishikawa does not

enter the field of view upon deformation but upon being inflated and remains in the field of view unless deflated and retracted.

With regard to Yasuta, claim 1 has been amended to clarify a distinguishing feature thereof. Yasuta discloses that the projected parts 94-96 are formed via the recessed parts 91-93 in a non-continuous manner.

In contrast, the present invention as now recited in claim 1, discloses that the protrusion, which is deformed, is formed to be continuous along a circumference thereof. Since the projected parts 94-96 of Yasuta are formed non-continuously at the distal end of the distal hood member 80, when the position near the recessed parts 91-93 is engaged, the projected part 94 is not fully deformed such that the deformed part does not enter into the range of the observation field of view. In the present invention as now recited in claim 1, since the protrusion which is deformed is formed to be continuous along a circumference thereof, the protrusion enters into the range of the observation field of view despite which protrusion engages.

Claim 1 has been amended to recite the feature discussed above. The amendment to claim 1 is fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the present amendment to claim 1.

With regard to the rejection of claims 1-18 under 35 U.S.C. § 102(e), an endoscope distal hood component having the features described above and recited in independent claim 1 is nowhere disclosed in Ishikawa. Since it has been decided that "anticipation requires the presence in a single prior art reference, disclosure of each and every

element of the claimed invention, arranged as in the claim,"[1] independent claim 1 is not anticipated by Ishikawa. Accordingly, independent claim 1 patentably distinguishes over Ishikawa and is allowable. Claims 2-18 being dependent upon claim 1 are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-18 under 35 U.S.C. § 102(e).

With regard to the rejection of claims 1-18 under 35 U.S.C. § 102(a), an endoscope distal hood component having the features described above and recited in independent claim 1 is nowhere disclosed in Yasuta. Since it has been decided that "anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,"[2] independent claim 1 is not anticipated by Yasuta. Accordingly, independent claim 1 patentably distinguishes over Yasuta and is allowable. Claims 2-18 being dependent upon claim 1 are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-18 under 35 U.S.C. § 102(a).

Lastly, new claim 19 has been added to further define the patentable invention. The addition of new claim 19 is fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the addition of new claim 19. The Applicant respectfully submits that new claim 19 is at least allowable as depending from an allowable base claim.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be

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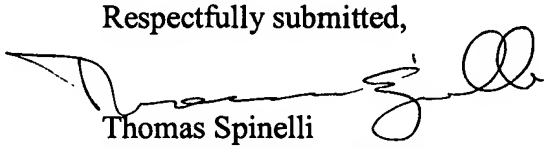
[1] Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

[2] Id.

allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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